

Members Present: ECOSLO- Maria Lorca; Sierra Club – Susan Harvey; Development Firm – Denis Sullivan; Land Conservancy – “BK” Bruce Richard; General Public – Melissa Boggs; General Public - Christine Volbrecht; South County Advisory Council - Jesse Hill; Templeton Area Advisory Group - Nicholas Marquart ; City of Paso Robles- Ron Whisenand ; City of San Luis Obispo – Kim Murry; Active Agriculturalist – Charles Whitney; Subdivision Review Board, Air Pollution Control Board – Aeron Arlin Genet ; Subdivision Review Board, Public Works – Richard Marshall; Existing TDC receiver site – Chad Whittstrom;

Members Absent: Ag Liaison – Mark Pearce; Farm Bureau – Joy Fitzhugh

Committee Staff Present: Karen Nall, Planning and Building, Kami Griffin, Planning and Building

Others Present: Dorothy Jennings, Lynda Auchinachie Co Ag Department, Eric Greening, Della Barrett, Michael Winn, Anne McMahon and Sue Luft

Ron Whisenand notes that he was bothered by the personal attack of Christine Volbrecht by members of the public at the March 14th meeting and would like to remind the public to treat the members of the committee with respect and to keep all comments professional.

Public Comment: Richard Marshall requests any Public Comment for items not on the agenda.

Maria Lorca provides a flyer for upcoming Community Advisory Council (CAC) training and notes that there will be presentation on interactive GIS and countywide water issues with RMS and that these would be of interest to this committee and requests that staff provides these presentations to this committee. Kami Griffin notes that this training is open to anyone and that anyone interest in going just needs to RSVP. Susan Harvey notes that here was a hurried vote at the last meeting regarding the use of alternates and request that this action be rescinded and taken out of the minutes. Richard Marshall suggests that problems with the minutes should be brought up during the minutes review on the agenda. Maria Lorca notes that she believes that the use of alternates should be agendized. Melissa Boggs notes that this issue had been discussed previously and the use of alternates is not allowed. Richard Marshall notes that we should keep a list of discussion items that the committee can decide to agendize. Sue Luft notes she would like clarification of use of alternates. Della Barrett notes that the South Atascadero committee presentation from the last meeting was for information only not for an endorsement. Eric Greening suggests having a committee timeline added to the agenda. Mike Winn notes that UCLA offers planning seminars for non-planners.

Richard Marshall suggests including the use of alternates to the Brown Act discussion and asked if there are any other items raised during public comment that need to be added to a future agenda? Ron Whisenand notes that when the committee begins discussing receiving sites that he would suggest having presentations that provide different perspectives on receiver site locations including South Atascadero. Maria Lorca questions if any one would be interested in the GIS or RMS presentation? Kami Griffin and Richard Marshall encourage attendance of the CAC training if anyone is interested.

Discussion:

Item B. 1. Item is tabled until 3:30 for Neil Havlik to arrive.

Item B. 2. Brown Act

Richard Marshall notes that there is a handout being passed around on the Brown Act on brown paper. Richard Marshall notes that the topic of alternates was not on the last meetings agenda and thus should not have been acted on, but does not support it being added to today’s agenda. He notes that the committee members were appointed by the Board of Supervisors and that no alternates were included and this issue is not under the committee’s purview. Ron Whisenand questions that the City of SLO representative was listed as John Mandeville but that Kim Murry has been representing him and is doing a great job. Kami Griffin clarifies that when the membership was approved by the BOS it authorized the

city's planning director or designee. Sue Harvey questions whether there are two city votes. Richard Marshall and Kami Griffin clarify that the two members representing the cities are actually one member so will get only one vote. Sue Harvey questions whether the WRAC (Water Resources Advisory Committee) has alternates. Mike Winn responds that the committee has alternates that are specifically appointed by the BOS. Discussion ensues.

Public Comment is requested. Dorothy Jennings questioned Item 6. Kami Griffin responds that each item must be open to public comment. Eric Greening questions who suggested that public comment be moved to the last item on the agenda. Aeron Arlin Genet questions whether a member who cannot make it to a meeting but has comments on an agenda item can provide written comments to Karen Nall prior to the meeting. Discussion ensues. Members must be present to vote. Richard Marshall asks if there is consensus to move the public comment period. Jesse Hill makes a motion seconded by Charlie Whitney to move public comment to the last ten minutes of the meeting. Discussion ensues. Jesse Hill amends the motion to limit each speaker to 2 minutes. Charlie Whitney seconds the amended motion. Discussion ensues. Ron Whisenand notes that he believes public comment has gotten out of control which has prevented the committee from making progress. Nick Marquart notes that he has been keeping track of the time spent on public comment and notes that previous meetings have used 106, 49, 56 minutes with today's meeting only 9 minutes. Melissa Boggs suggests adjusting the comment period in the future if needed. Richard Marshall notes that this can be agendaized in the future if needed. Denis Sullivan questioned whether time will be monitored. Groups agree to keep time. Motion passes with one opposed.

Richard Marshall questions whether any other item is needed for discussion. Item is tabled until after item B.1.

Item B. 1. Kim Murry introduces Neil Havlik, City of San Luis Obispo Natural Resources Manager. Neil Havlik provides a handout and presentation of the City's open space program. He explains that the goal of the City is to secure green belt lands in fee or through easements. Fee acquisition is getting more difficult and more expensive. The city also uses a dedication program when GPA's are requested and they use outright donations of title or easement. Individual projects are discussed including the Prefumo Canyon and Calle Joaquin projects. Jesse Hill questions whether the TDC program would work in the city to add density. Neil Havlik notes that the city may not be a good receiver site because the city already has high density, notes the possibility of a new town and antiquated subdivisions. Kim Murry notes that the city does have areas that could receive TDCs but that there is no implementing program. Kim Murry questions what type of instruments are used? Neil Havlik responds that they use conservation easements generally. Discussion ensues. Charlie Whitney notes that ranchers have concerns with the oversight needed for conservation easements. Neil Havlik responds that the easement can be tailored to be "farmer friendly". Melissa Boggs questions whether developer rights can be purchased? Neil Havlik responds that it may be done and it is a type of easement. Chris Volbrecht questions whether all other agricultural uses can be still be continued when a conservation easement is in place. Neil Havlik responds that on the Guidetti Ranch many uses are still permitted including winery and tasting room as long as the winery supports production on site. Ron Whisenand questions whether the city will welcome a TDC program that moves development towards the city? Neil Havlik notes that moving development just outside the city would not be maintaining the goals of the city; he notes the need for true community separation and possibility of a new town. Susan Harvey questions the location of the City's green belt. Discussion ensues regarding limit lines and urban reserve lines. BK notes that the County is preparing a community separator study.

BK questions where the money comes from for the City's program. Neil Havlik notes that \$200,000 is added per year by the City Council through the general fund. Mr Havlik reports that the program has been able to leverage \$2.8 million into \$7 million with donations and grants. He notes that the City Council and public is very supportive of the open space program. Discussion ensues regarding taxes paid to the county or city and those sites with conservation easements have reduced taxes. Maria Lorca

questions the public process involved in the terms of the easements. Neil Havlik responds that the approval of the easement is a public hearing process and must be approved by the City Council but that the negotiations leading up to the easements are not a public process. Discussion ensues.

Nick Marquart questions whether the City of Paso Robles' Purple Belt intent is to have a hard boundary and growth cap. Ron Whisenand responds that the purple belt will provide a community separator, buffering and will recognize the importance of agricultural industry to Paso Robles past and current economics. Discussion ensues regarding internal growth within cities.

Maria Lorca questions whether peer review is done for each appraisal. Neil Havlik responds that they have no need for peer review because the appraisals are done by local firms that are very good and staff would know if they were unacceptable.

Richard Marshall opens this item to public comments.

Eric Greening suggests that the County create a "Neil Havlik" equivalent for the County. He notes that there are different needs and values for conservation of open space including biological, visual and asked if there is a hierarchy. Neil Havlik responds that the Land Conservancy completed two studies Saving Special Places 1 and 2. and resources were evaluated and values were assigned through those studies. He adds that other lands have been included due to volunteerism. Della Barrett question whose responsibility it is to ensure appraisals are good. Neil Havlik notes that he performs that function for the city. Dorothy Jennings asks who pays for the appraisal. Neil Havlik responds that the city generally pays for the appraisal. Dorothy Jennings asked how public access is achieved. Neil Havlik notes that each site is looked at on a case by case basis and public access is acquired when there is public interest. Mike Winn notes that SLOCOGs 2050 Study identified new towns and the committee may want to get a copy of the study. He also notes that John Brandingham with the County's Economic Advisory Committee has done a lot of work with new towns. The Committee thanks Neil Havlik.

Discussion returns to Item B.2. (see attached handout)

Charlie Whitney questions how the meeting will be run regarding public comment on agenda items.

Richard Marshall notes that with committee agreement he will run the meetings similar to a planning commission meeting and will monitor the public comment received for items on the agenda. He notes that public comment will start at 4:50 and each speaker may speak once for 2 minutes maximum and that if needed the meeting will run past 5:00 p.m. Aeron Arlin Genet questions whether speaker slips are needed. Richard Marshall notes that he does not feel they are needed and feels raised hands is sufficient. Suggestion 2. is amended. Arlin Aeron Genet notes the addition of a new Suggestion 4. to note that all comments should be respectful with no personal attacks.

Comment [kem1]: The hand out will be attached.

Item B. 4.

Karen Nall notes she has received minor corrections to the meeting attendees for February 14th and February 28th and asked the committee to allow her to make those changes. Melissa Boggs has a minor correction to the January 10th meeting to replace the word "aesthetics" with "ethics" and other minor changes. Maria Lorca asked if the previous minutes were corrected that had lists? Karen Nall notes that they have been corrected. Ron Whisenand makes a motion to approve all previous minutes except March 14th with Aeron Arlin Genet seconding the motion. Motion passes unanimously. Richard Marshall suggests that anyone with correction on the March 14th meeting provide them to Karen Nall soon. Melissa Boggs suggest giving people a deadline to respond. Karen Nall notes that she may be unable to complete the minutes due to work load.

Review of maps is moved to the next meeting.

Meeting adjourned. Next Meeting April 11, 2007 at 3:00.

March 28, 2007

TDC Blue Ribbon Committee

Brown Act – Notes following conference with Jim Orton, County Counsel

1. A public comment period must be allowed for items not on the agenda.
2. The public comment period can be located anywhere on the agenda.
3. Public comment time can be limited and each speaker can be restricted to 1, 2 or 3 minutes per speaker. Each speaker may be limited to speak only once.
4. The public comment may not be limited to only items under the purview of the committee.
5. The committee is not obligated to answer each question or respond to each comment made.
6. Each specific agenda item does need to be opened up to public comment.

Suggestions

1. Move public comment to last ten minutes of each meeting.
2. Timekeeper will help facilitate the public comment period.
3. Committee members should refrain from responding to comments until all comments are made and there is committee consensus on what should be responded to and by whom.
4. All comments shall be respectful with no personal attacks.